IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1439 OF 2005

Bhartiya Govansha Rakshan
Savardhan Parishad. ...Petitioner

V/s.

State of Maharashtra & Anr. ...Respondents

Shri K.K. Tated for Petitioner.
Shri S.V. Kotwal for Respondent No.2.
Shri Rajesh More, APP for State-Respondent No.1.

CORAM : V.M. KANADE, J.

DATED : AUGUST 2, 2006

P.C. :-

. Heard learned Counsel for the petitioner and learned Counsel for the respondent.

2. The petitioner is challenging the order passed by the Sessions Court, Raigad. It is contended that the said order has been passed without hearing the petitioner.

3. Learned Counsel appearing on behalf of the respondent reiterated this fact. In this matter, order dated 5th April, 2005 passed in Revision Application is set aside. The matter is remanded back to the Sessions

Court with a direction to decide the Criminal Application afresh after giving hearing to the petitioner and the respondent.

4. The matter to be placed before the Sessions Court, Raigad, for further hearing on 4th September, 2006.

5. With these directions, Criminal Writ Petition is disposed of.

6. The stay granted by this Court on 13th May, 2005 to continue for a period of one week after the decision of the Sessions Court.

(V.M. Kanade, J.)